

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Fillmore Field Office

95 E 500 N

Fillmore, UT 84631

<http://www.blm.gov/ut/st/en/fo/fillmore.html>



RECEIVED

AUG 18 2014

DIV. OF OIL, GAS & MINING

IN REPLY REFER TO:
3600 (UTW02000)
UTU-78277

August 14, 2014

CERTIFIED MAIL # 7012 3460 0000 6633 2377
RETURN RECEIPT REQUESTED

DECISION

Jeff Bessendorfer
1921 South Casperville Road
Heber, Utah 84032

:
: 43 CFR 3600 – Mineral Materials
:
:

Approval of Sampling and Testing and Determination of Required Financial Guarantee Amount

Your proposal to conduct bulk sampling and testing for mineral materials, assigned Bureau of Land Management (BLM) case file number UTU-78277, was received July 24, 2013. Please refer to this number in any future communication concerning this mineral materials case.

This pending Community Pit overlaps the location of a former locatable minerals mining project, UTU-79454, which expired on January 20, 2003. The Utah Division of Oil, Gas and Mining (UDOGM) case file number for that inactive mining project is M/023/0067. The underlying placer mining claim, UMC368006, is Active. However, the mining claim was located on October 20, 2001, and the Community Pit case was established and noted on the Master Title Plat (MTP) on May 12, 2000. As specified by the Code of Federal Regulations (CFR) in 43 CFR 3600.0-5(g), "The establishment of a community pit, when note on the appropriate Bureau of Land Management records or posted on the ground, constitutes a superior right to remove material as against any subsequent claim or entry of the lands." You may therefore remove bulk material for sampling whether or not the sampling sites are located within the mining claim.

The pending Desert Mountain Community Pit is located on Desert Mountain, Juab County, Utah, in an aliquot part of section 35, Township 12 South, Range 07 West; Salt Lake Meridian. Your bulk sampling and testing project proposes the removal of up to 20 tons of granitic rock from less than one acre within a previously disturbed location. As specified in 43 CFR §3601.30(a), the BLM may authorize an operator to sample and test mineral materials prior to issuing a sales contract. As described in 43 CFR §3601.30(b), you must submit the results of your sampling

and testing project to the BLM.

This letter authorizes you to conduct your sampling and testing activities at this site for 90 days after you receive written notification that your financial guarantee has been accepted, as specified in 43 CFR § 3601.30(a). The BLM may extend the authorization for an additional 90 days if you submit a written request for an extension.

Amount of Financial Guarantee – As specified in 43 CFR § 3601.30(d), the BLM may impose bonding and reclamation requirements that you conduct under an authorization letter.

This office has calculated a reclamation cost estimate, and will consult with the Utah Division of Oil, Gas and Mining on a cost estimate; BLM has determined that the amount of \$2,163.00 is sufficient to meet all anticipated reclamation requirements to BLM standards. The amount of the reclamation cost estimate was based on the operator complying with all applicable operating and reclamation requirements. This financial guarantee is refundable upon the determination by the BLM that reclamation requirements are met, or that there has been no additional surface disturbance as a result of the sampling project. UDOGM may require an additional amount to meet State reclamation requirements with the support of the BLM.

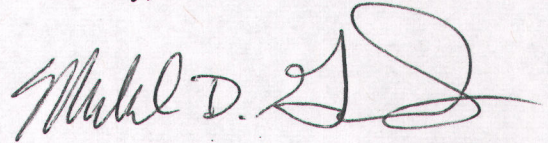
BLM's decision concerning the amount of the required financial guarantee, the determination that your mineral material filing is complete, and the determination that your operations as proposed will not cause unnecessary surface disturbance, does not relieve you, the operator, of your responsibility to be in compliance with all applicable Federal, State and local laws and regulations, and to obtain all applicable Federal, State and local authorizations and permits. You are responsible for preventing any unnecessary surface disturbance of public lands and resources, and for reclaiming all lands disturbed by your operations.

Required Financial Guarantee – A financial guarantee in the amount of \$2,163.00 must be filed and accepted by the UDOGM or the Utah State Office of the BLM, 440 West 200 South, Suite 500, Salt Lake City, Utah 84145-0155. You must receive written notification from that office accepting and obligating your financial guarantee before you may continue surface disturbing operations. Your authorization with the BLM expires 90 days from the date of your written notification, but the BLM may extend the authorization for an additional 90 days if you demonstrate that additional time is necessary to complete your sampling operation.

If you submit your financial guarantee to the BLM, examples of the types of financial instruments that are acceptable to the BLM are found at 43 CFR §3809.555. Please contact Rita Stelmach or Opie Abeyta, Land Law Examiners at the BLM Utah State Office, at (801) 539-4121 and (801) 539-4123 respectively for further information on the adjudication of financial guarantees. If you submit the financial guarantee to the Utah Division of Oil, Gas and Mining, please contact UDOGM for information about financial instruments acceptable to the State of Utah.

If you have any questions, please contact Duane Bays, BLM FFO Natural Resource Specialist, at (435) 743-3115.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Gates", with a stylized flourish at the end.

Michael D. Gates
Field Manager

Enclosure: Form 1842-1
Reclamation Cost Estimate (RCE)
Site Map

cc:

Wayne Western
UDOGM

1594 W North Temple Ste 1210
Salt Lake City, UT 84114

Utah State Office/ BLM
440 West 200 South, Suite 500
Salt Lake City, UT 84101-1345